

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants : Connie T. Marshall et al.
Application No. : 09/609,073 Confirmation No. : 2964
Filed : June 30, 2000
For : INTERACTIVE WAGERING SYSTEMS AND METHODS
FOR RECORDING WAGERING EVENTS
Art Unit : 3714
Examiner : William H. McCulloch Jr.
Mail Stop Appeal Briefs - Patents
Commissioner for Patents
P.O. Box 1450
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AMENDED APPEAL BRIEF - REPLACEMENT SECTION

Sir:

In response to the November 26, 2008 Order Returning Undocketed Appeal to Examiner, appellants are submitting this Amended Appeal Brief pursuant to 37 C.F.R. § 41.37(d). Pursuant to MPEP § 1205.03, this Amended Appeal Brief only includes the defective "Summary of Claimed Subject Matter" section and is not an entire new brief.

Appellants believe that no fee is required connection with this Amended Appeal Brief. However, the Director is hereby authorized to charge any fees that may be due, or credit any overpayment of the same, to Deposit Account No. 06-1075.

REPLACEMENT SECTION

(v) Summary of Claimed Subject Matter

Appellants' invention, as defined by independent claim 19, generally relates to a method for allowing users to wager on and record wagering events (see, e.g., appellants' specification, page 29, line 31 to page 30, line 9 and page 35, line 31 to page 36, line 16). A user is allowed to create and place a wager for a given race (see, e.g., appellants' specification, page 38, line 18 to page 41, line 26; see also, e.g., appellants' drawings, FIGS. 8-14). The user is automatically provided with an opportunity to record the given race in response to the user placing the wager for a given race (see, e.g., appellants' specification, page 41, lines 18-26; see also, e.g., appellants' drawings, FIG. 14). The given race is recorded (see, e.g., appellants' specification, page 41, line 27 to page 42, line 11 and page 43, line 30 to page 44, line 3; see also, e.g., appellants' drawings, FIG. 15).

Appellants' invention, as defined by independent claim 48, generally relates to an interactive wagering system that provides a user with an opportunity to place wagers on races to be run (see, e.g., appellants' specification, page 29, line 31 to page 30, line 9 and page 35, line 31 to page 36, line 16). The system includes control circuitry configured to allow the user to create and place a wager for a given race (see, e.g., appellants' specification, page 19, line 28 to page 22, line 9; page 38, line 18 to page 41, line 26; see also, e.g., appellants' drawings, control circuitry 112 and FIGS. 1-6 and 8-14). The user is automatically provided an opportunity to record the given race in response to the user placing the wager for a given race (see, e.g., appellants' specification, page 41,

lines 18-26; see also, e.g., appellants' drawings, FIG. 14).
The given race is recorded (see, e.g., appellants'
specification, page 41, line 27 to page 42, line 11 and page 43,
line 30 to page 44, line 3; see also, e.g., appellants'
drawings, FIG. 15).

Appellants respectfully request that the above replacement section be replaced with the corresponding section submitted in the Appeal Brief filed on April 25, 2007.

Early and favorable consideration is respectfully requested.

Respectfully submitted,
/Brian E. Mack/

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